

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 12 October 2023

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office @ 1600 East South Weber Drive, So. Weber, UT

PRESENT:

COMMISSIONERS:

**Gary Boatright
Jeremy Davis
Julie Losee
Marty McFadden
Chad Skola (excused)**

CITY ENGINEER:

Brandon Jones

COMMUNITY SERVICE DIRECTOR: Trevor Cahoon

DEVELOPMENT COORDINATOR: Kimberli Guill

Minutes: Michelle Clark

ATTENDEES: Paul Sturm and Michael Grant.

Commissioner Davis called the meeting to order and welcomed those in attendance.

1. Pledge of Allegiance: Commissioner Davis

2. Public Comment: Please respectfully follow these guidelines.

- Individuals may speak once for 3 minutes or less: Do not remark from the audience. State your name & city and direct comments to the entire Commission (Commission will not respond).

3. Approval of Consent Agenda

- **14 September 2023 Minutes**

Commissioner Losee moved to approve the consent agenda as written. Commissioner Davis seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, and McFadden voted aye. Commissioner Boatright abstained. The motion carried.

ACTION ITEMS

4. Public Hearing & Action: Titles 10 & 11 Amendments and Development Standards to Comply with State Code Updates: Community Services Director Trevor Cahoon announced due to State law changes effective May 4, 2023, the city must assess the need for updating the city subdivision ordinance. Notably, these modifications revolve around reinforcing the administrative nature of subdivisions, especially for 1 or 2 family dwellings and townhomes.

Mr. Cahoon noted all changes are designed to reinforce the administrative nature of subdivisions, streamline processes, and ensure clear guidelines for all stakeholders. There are many areas of the new code that strictly follow State Code and are not discretionary.

1. **Administrative Land Use Authority Designation:** The proposal ensures that we have designated an "administrative land use authority" for preliminary plats within our subdivision ordinance. This is in keeping with the recent mandate. The options presented in the revision also allow flexibility to the city—whether it be the staff or the entire planning commission to review the preliminary plat.
2. **Concept Plan Review Elimination:** We have taken steps to eliminate any mandates for a concept plan review, as required by the new law. We now suggest that it be optional, with it being incorporated into the preliminary plat under a different designation.
3. **Complete Application Definition:** We have thoroughly defined what constitutes a "complete" application, further streamlined with checklists for both planning and engineering.
4. **Review Process Timing:** The proposed revisions strictly adhere to the timings specified under the new law. There's the initial review of the preliminary plat within 15 business days and the review of the final plat within 20 days. Importantly, only four reviews between preliminary and final approval are allowed.
5. **Engineering Standards Review:** The reviews are in harmony with previous laws where clear engineering standards are provided. These standards have been formulated keeping public feedback in mind and will be adopted after due diligence and procedure.
6. **Bonding and Landscaping:** As per the provisions in House Bill 406, we have updated the ordinance to reflect that bonding for landscaping on private property is no longer permissible. Also, bonding language has been refreshed to ensure that assurances are only for public infrastructure.
7. **Road Standards Compliance:** The revised ordinance addresses the new residential roadway standards from House Bill 406.
8. **Inclusion of New Appeal Process:** As Senate Bill 174 outlines, we have incorporated two distinct appeal processes once the four review cycles and after 20 days have elapsed. This is to ensure fair and unbiased judgment in case of any disputes:
 - For disputes relating to public improvement or engineering standards, a three-person panel will be convened within 10 days of a request. This panel is carefully constructed to avoid any conflicts of interest and to ensure unbiased judgments.
 - For all other disputes, matters will be referred to the designated appeal authority. The costs for this appeal process will be shared equally by the applicant and the municipality, ensuring that both parties have equal stakes in the decision.

City Engineer Brandon Jones reviewed the flow chart enclosed in the packet. The Planning Commission agreed after reviewing it the flow chart makes sense. Mr. Cahoon reviewed the Legislative and Administrative decisions with the amendments and how that relates to the Planning Commission. Mr. Jones expressed the rezone of property must be approved prior to preliminary review. He reminded the Planning Commission it is important to understand the city

staff is not driving this but doing the best to follow the state requirement. Commissioner Boatright queried if this is good, bad, or in between for the city. Mr. Cahoon replied this will streamline the process but understands it can be difficult when the state issues mandates to cities. He does feel the amendments will enhance the Planning Commission. Mr. Jones communicated if there is a good element to this, it is the citizens should help inform land use through the general plan process. Commissioner Losee referenced Section 11.02.08 *The Planning Commission may hold public hearings for preliminary plat applications, but such public hearings are not required.* Commissioner Boatright advised depending on the subdivision, it may be worth it to hold a public hearing. Mr. Cahoon added the chairperson and city staff decide whether a public hearing should be held.

Mr. Jones reviewed the amendments to road width standards. They are as follows:

CURBED ROAD SECTION

<i>STREET DESIGNATION</i>	<i>T.B.C. TO T.B.C.</i> (A)	<i>CENTERLINE TO T.B.C.</i> (B)	<i>ASPHALT WIDTH</i> (C)	<i>PARKSTRIP</i> (D)	<i>T.B.C. TO PROPERTY LINE</i> (E)
<i>LOCAL RESIDENTIAL</i>	37'-0"	18'-6"	32'-0"	9'-6"	16'-6"
<i>SPECIAL RESIDENTIAL (SEE GENERAL NOTE 11)</i>	41'-0"	20'-6"	36'-0"	7'-6"	14'-6"

Mr. Cahoon reviewed amendments to Title 10 Section 10-2-7 and 10-14-5 as well as the moving of impact fees from Title 11 to Title 2.

Commissioner Davis suggested Commissioner Skola’s comments be included in the minutes which is as follows:

- Some of my notes. Page 59. The city also does the ordering?
- Page 70 pre-construction meeting, then in the paragraph it calls it a conference. Not a big deal, just noticed.
- Overall, I think what is recommended makes sense in the blue.
- On the rezone I think it all makes sense.

Commissioner Losee moved to open the public hearing for Titles 10 & 11 Amendments and Development Standards to Comply with State Code Updates. Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

***** PUBLIC HEARING *****

(No Public Comments)

Commissioner McFadden moved to close the public hearing for Titles 10 & 11 Amendments and Development Standards to Comply with State Code Updates. Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

***** PUBLIC HEARING CLOSED *****

Commissioner Losee moved to recommend approval of Titles 10 & 11 Amendments and Development Standards to Comply with State Code Updates including the items:

- Section 11.07.04 referencing the minimum required fencing but noting that alternate fencing can be approved by Planning Commission as provided later in the section.
- Update the word “any” instead of “the” in the standard residential street section.
- Clarify on page CW1 placement of the water meter to be centered on the frontage.
- Modify any inconsistency of the term conference to the word meeting.

Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

5. Public Hearing & Action on Rezone of the Current South Weber Public Works Property from R-L & A to R-M Parcel# 130300009, approx. 2.169 acres located at approx.1721 E South Weber Dr. by Applicant: South Weber City

Community Services Director Trevor Cahoon explained the city is in process of relocating the Public Works Facility from its current location on South Weber Drive. The property currently occupied by the Public Works Facility (appx 2.169 acres) will be put on the market for sale. Prior to any sale, the city would like to rezone the property to conform with the General Plan and make it clear what the future land use would be for the site.

The property currently has a split zone between R-L and A. The General Plan anticipates the property to be R-M and the current proposal is to rezone it to R-M.

Commissioner Boatright moved to open the public hearing for Rezone of the Current South Weber Public Works Property from R-L & A to R-M Parcel# 130300009, approx. 2.169 acres located at approx.1721 E South Weber Dr. by Applicant: South Weber City. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

******* PUBLIC HEARING *******

(No Public Comments)

Commissioner Boatright moved to close the public hearing for Rezone of the Current South Weber Public Works Property from R-L & A to R-M Parcel# 130300009, approx. 2.169 acres located at approx.1721 E South Weber Dr. by Applicant: South Weber City. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

******* PUBLIC HEARING CLOSED *******

Commissioner McFadden moved to recommend approval of the rezone of the current South Weber Public Works Property from R-L & A to R-M Parcel# 130300009, approx. 2.169 acres located at approx.1721 E South Weber Dr. by Applicant: South Weber City. Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

REPORTS**6. New Business**

Vacancy on Planning Commission: Mr. Cahoon reported a notice will be sent out concerning the upcoming vacancy on the Planning Commission. Commissioner Losee announced she has discussed serving another term with the Planning Commission.

City Christmas Party: Mr. Cahoon announced the City Christmas Party will be December 1, 2023, at 6:00 p.m. at Weber State University.

7. Commission & Staff

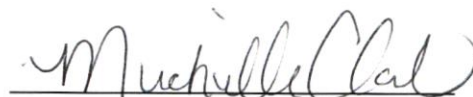
Commissioner McFadden: reported he learned from the recent conference the different types of voting and suggested the possibility of writing down and submitting a vote. The Planning Commission was not in agreement with this style of voting.

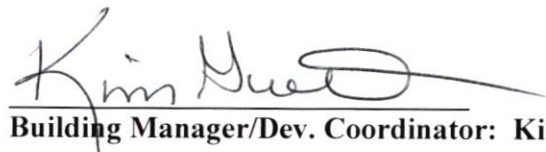
Commissioner Losee: expressed her takeaway from the conference is “Be a part of a community that believes in itself.”

Commissioner Davis: thanked city staff for all the work put into this packet. And Kim for giving enough time to review the packet.

8. ADJOURN: Commissioner Boatright moved to adjourn the Planning Commission meeting at 7:19 p.m. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, and McFadden voted aye. The motion carried.

APPROVED:  Date 11/9/23
Chairperson: Jeremy Davis


Transcriber: Michelle Clark

Attest: 
Building Manager/Dev. Coordinator: Kimberli Guill